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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)

CR. NO. 03-00248 DAE

Plaintiff,

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

VS.

060649

SAMUEL KAAUWAI,

at 11 o'clock and 25 min. A M
SUE BEITIA, CLERK

Defendant.


ORDER GRANTING DEFENDANT'S MOTION TO CONTINUE
SENTENCING

On September 25, 2006, United States Magistrate Judge Barry Kurren granted Glen Choy's motion to withdraw as counsel and to substitute Clayton Kimoto as counsel for Defendant Samuel Kaauwai ("Defendant"). On September 28, 2006, new counsel for Defendant filed a motion to continue the October 16, 2006 sentencing date on the basis that he had not yet received the files, and therefore needs more time to familiarize himself with the case. On October 5, 2006, United States Attorney Marshall Silverberg filed an opposition to Defendant's motion.

Defendant initially plead guilty on October 17, 2003, nearly three years ago. While the Court is certainly concerned with this delay, which resulted in part due to several stipulations to continue the sentencing, it must also provide new counsel with an adequate time to fully and comprehensively prepare for the sentencing hearing. Accordingly, the Court will reschedule Defendant's sentencing hearing for November 6, 2006 at 11:15 a.m.¹

IT IS SO ORDERED.

DATED: Honolulu, Hawaii, OCT 06 2006.



DAVID ALAN EZRA
UNITED STATES DISTRICT JUDGE

United States v. Kaauwai, CR No. 003-00248 DAE; ORDER GRANTING
DEFENDANT'S MOTION TO CONTINUE SENTENCING

¹As the Probation Office has fully prepared and submitted the Presentence Report, the new date should provide ample time for new counsel to review the report, speak with previous counsel, and conduct any other preparations that he needs to undertake.